

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 SILVIA SANDOVAL,

4 Plaintiff

5 v.

6 ALBERTSONS, LLC,

7 Defendant

Case No.: 2:17-cv-00959-APG-PAL

**Order Rejecting Proposed Joint Pretrial
Order**

[ECF No. 57]

8 The parties' proposed Joint Pretrial Order (ECF No. 57) does not comply with Local
9 Rules 16-3 and 16-4. For example, each party's exhibit list includes the Complaint, Answer, and
10 the same medical records, yet the parties do not stipulate to the admissibility of any. The
11 defendant lists "any and all documents provided by Plaintiff in her Early Case Conference List of
12 Documents and all supplements thereto." That is improper, as specific exhibits are to be listed so
13 the other party can lodge objections. Neither party states any objections to the other side's
14 exhibits, as required by Local Rule 16-3(b)(8)(B). Because the parties do not object to any
15 exhibits, they should stipulate to the admission of all exhibits.

16 The parties list several "PMK" and "COR" witnesses. The parties should know by now
17 the names of the witnesses they intend to present at trial. If those witnesses were not identified
18 during discovery, they cannot be called at trial.

19 The defendant attempts to designate "all witnesses listed in Plaintiff's Early Case
20 Conference List of Witnesses and any supplements thereto or designated by Plaintiff," and "all
21 witnesses listed in Defendant's FRCP 26 list of witnesses." Again, Local Rule 16-3(b)(12)
22 requires specific witnesses to be named.

23 The section titled Action by the Court does not comply with Local Rule 16-4.

1 The requirements in Local Rules 16-3 and 16-4 are designed to streamline the trial
2 preparation and presentation, and to foster settlement. The parties cannot simply wait to make
3 trial decisions until the eve of trial. If they do, they cannot fully participate in settlement
4 discussions. It is apparent from the proposed Joint Pretrial Order that the parties either ignored
5 Local Rule 16-3, or did not properly conduct the required conference in the spirit of the rule.

6 IT IS ORDERED that the parties' Joint Pretrial Order (**ECF No. 57**) is **REJECTED**.
7 The parties shall confer as required in Local Rule 16-3, and submit a Joint Pretrial Order that
8 complies with Local Rules 16-3 and 16-4 by May 21, 2019.

9 DATED this 1st day of May, 2019.

10
11 
12 _____
13 ANDREW P. GORDON
14 UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23